

Rubashkin Kin Guilty in Sex Case

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A son-in-law of Sholom Rubashkin, the kosher meat mogul convicted of financial fraud in November, has pleaded guilty to child endangerment in a case related to the sexual molestation of a 13-year-old boy at a mikveh. Under a plea bargain agreement, he faces up to 60 days in jail.



Skip Dickstein/Times Union

Abuse: Rabbi Yaakov Weiss, son-in-law of Sholom Rubashkin, prays while awaiting an appearance in an Albany police court.

Under oath, Rabbi Yaakov Weiss admitted to: “While naked, knowingly having inappropriate physical contact with a child, who was also naked at the time,” according to the prosecutor in the case. On January 11, Weiss pleaded guilty in an Albany, N.Y., court to endangering the welfare of a child.

Under the plea bargain, Weiss will not be required to be listed in a registry of sex offenders.

Prosecutors said they agreed to the deal to spare the boy and another child victim from the rigors of testifying at trial.

“This case has subjected these boys to an enormous amount of community pressure,” said Shannon Sarfoh, bureau chief of the Special Victims Unit of the Albany County district attorney’s office.

The mother of one of the two 13-year-old boys told The Forward, “We’re pleased that it’s over and glad that the children didn’t have to be subjected to testifying.” The Forward’s policy is not to name children or their families in such cases.

Weiss, 29, established a Chabad center in Colonie, an Albany suburb, and an affiliated Chabad Hebrew School. Indicted August 25, he served as an emissary of the Chabad movement until a few months ago. Weiss was suspended by Chabad, as soon as the charges were filed.

Weiss was charged with four counts related to sexual molestation of the two boys. Weiss pleaded guilty to child endangerment, but under the terms of his plea bargain, he admitted his guilt to other counts in the indictment under oath in court, Sarfoh said.

He pleaded guilty to advising one of the boys, in a phone call, to lie to his mother and to police about what had occurred.

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The maximum jail sentence for the child endangerment charge is 60 days. A March 1 sentencing hearing was scheduled. As part of the plea bargain, Weiss will also be on probation for three years and will be evaluated by a psychologist.

If he had been convicted of all four counts with which he was originally charged, Weiss faced up to two years in jail.

“He got a slap on the hand. Across the country people are copping pleas so they don’t end up on sex offender registries,” said Vicki Polin, founder and chief executive officer of The Awareness Center, which advocates on behalf of victims of rabbinic sexual abuse.

“Our courts seem to care more about white-collar crime than they do about our own children,” she said. “If he’s not on a sex offender registry, it means he still can teach. There are so many cases just like this and then they just re-offend.”

In June 2007, Weiss gave a ride to one of the 13-year-old boys, who is the son of another Lubavitch rabbi in the area. They drove to the local mikveh, which is on the grounds of the Albany Jewish Community Center.

It wasn’t unusual for her son to get a ride to the mikveh with the rabbi, the boy’s mother told the Forward. Some Lubavitch men have a custom of immersing daily in the ritual bath that they regard as spiritually purifying. According to court documents, her son looked to Weiss as “a rabbi, teacher and spiritual advisor.”

At the mikveh, Weiss “touched his penis to the boy’s buttocks,” states the indictment. It charges that Weiss did the same with the other boy.

Weiss and his wife, Roza, settled in Colonie six years ago. They have three young daughters.

Roza is the eldest daughter of Sholom Rubashkin, who now sits in an Iowa prison awaiting sentencing stemming from his conviction on 86 counts of bank and wire fraud. He was a senior executive at his family’s company, Agriprocessors, formerly the country’s largest kosher meat producer. Immigration officials who raided the plant in May 2008 found illegal immigrants employed there and arrested 389 people. The firm subsequently filed for bankruptcy and was sold.

The Rubashkins are a prominent family in the Crown Heights section of Brooklyn. The night before her husband’s plea, Roza Weiss appeared at a Crown Heights fundraiser to raise money for her father’s defense fund so he can appeal his case.

Reached on his wife’s cell phone on January 11, after his court appearance, Weiss softly told a reporter

that he had no comment.

His lawyer, however, had plenty to say.

Even after his client admitted guilt in court, said Arnold Proskin, “He molested nobody.”

The entire case, he said, is rooted in a Chabad turf war between another area Chabad emissary and Weiss.

“It’s a political Orthodox Jewish game,” said Proskin. “The father of one of these boys is head of Chabad in a neighboring town and wants Colonie very, very bad. He’s jealous of him. In my mind, there’s not a doubt that this is what this about.”

If Weiss returns to teaching local Hebrew school classes, the mother interviewed by the Forward said it wouldn’t bother her.

“We’re just going to rise above it. I have no personal vendetta,” she said. “I wanted to protect my child and other children. I think it’s going to be good enough to do that, and hope it will also turn the tide a little bit so people don’t feel they can operate with impunity.”

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